

CIVIL TRIAL CALENDAR
FIRST CIRCUIT
TWENTY FIRST DIVISION

DATE: THURSDAY, OCTOBER 27, 2005
JUDGE: HONORABLE BERT I. AYABE, JUDGE PRESIDING
CLERK:
REPORTER:
BAILIFF/LAW CLERK: C. ABE

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10:00 A.M.

1CC 02-1-000090 KELLEY WOODRUFF MD
VS.
HAWAI'I PACIFIC HEALTH ETAL

ARLEEN DOROTHY JOUXSON
RAFAEL GOODWIN DEL CASTIL
FOR KELLEY WOODRUFF

KENNETH S ROBBINS
VINCENT ARD RHODES
CHARLES ROBERT CHING
PATRICK HUDSON JONES
FOR KAPIOLANI MEDICAL SP

MICHAEL A LORUSSO
JOHN T KOMEIJI
KAREN YUKIE ARIKAWA
FOR DELOITTE & TOUCHE LL

JOHN S NISHIMOTO
MICHAEL JOHN VAN DYKE
FOR DENNIS M WARREN

PLAINTIFFS' FIRST MOTION FOR PARTIAL SUMMARY
JUDGMENT (MVT: A. JOUXSON-MEYERS) (FR. 8/9/05)

*****COURT REPORTER JUNE SPOHN*****

10:28 - 10:50 A.M. CT CLK: A. HONDA

APPEARANCES: ARLEEN JOUXON-MEYERS/RAFAEL DEL
CASTILLO FOR PLAINTIFFS
KENNETH ROBBINS/LEIGHTON HARA FOR
HAWAII PACIFIC HEALTH, KAPIOLANI
MEDICAL SPECIALISTS & KAPIOLANI
MEDICAL CENTER FOR WOMEN & CHILDREN
JOHN NISHIMOTO/MICHAEL VAN DYKE FOR
DENNIS WARREN, ESQ.
JOHN KOMEIJI/KAREN ARIKAWA FOR
DELOITTE & TOUCHE

AFTER HEARING THE ARGUMENT OF COUNSEL, THE COURT
TOOK THE MATTER UNDER ADVISEMENT.

*****<MINUTE ORDER 10/31/2005>*****

EXHIBIT J

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BASED ON THE MEMORANDA SUBMITTED, ARGUMENT AND FOR GOOD CAUSE SHOWN ON THE RECORD, THE COURT DENIES THE MOTION AS THERE ARE MATERIAL QUESTIONS OF FACT REGARDING THE PROPER BILLING PRACTICES AT KAPIOLANI. IT IS ALSO PREMATURE TO DISMISS ANY OF THE DEFENDANTS' DEFENSES WHICH APPEAR TO BE LEGALLY SUFFICIENT BASED ON THE LIMITED EVIDENCE PRESENTED TO THE COURT. THEREFORE, THE MOTION IS DENIED.

MR. VAN DYKE TO PREPARE THE ORDER.

A COPY OF THIS MINUTE ORDER WAS PLACED IN THE COURT JACKET FOR ARLEEN JOUXSON-MEYERS, ESQ., KENNETH ROBBINS, ESQ., MICHAEL VAN DYKE, ESQ., & JOHN KOMEIJI, ESQ.